

Yudong Zhu

S/N: 10/723,311

REMARKS

Claims 1-23 are pending in the present application. In the Office Action mailed August 5, 2005, the Examiner rejected claims 1, 2, 4, 6-9, and 14 under 35 U.S.C. §103(a) as being unpatentable over Katscher et al. (USP 6,828,790), and further in view of Ibrahim, Magnetic Resonance Imaging 19 (2001) 1339-1347. The Examiner next rejected claims 10-13, 15, 16, 18, 19, and 21 under 35 U.S.C. §103(a) as being unpatentable over Katscher et al. (USP 6,828,790), and further in view of Zhang (USP 6,801,037). Applicant appreciates the indication that claims 3, 17, and 20 are allowed.

The Examiner rejected claims 1, 2, 4, 6-9, and 14 and 10-13, 15, 16, 18, 19, and 21 in separate §103(a) rejections based on Katscher et al. in combination with Ibrahim and Zhang, respectively. The Examiner proffered the rejections despite Applicant's disqualification of Katscher et al. as prior art against the claimed invention. Applicant filed a Declaration under 37 C.F.R. §1.131 disqualifying Katscher et al. with the Amendment/Response to Office Action mailed December 15, 2004. For the Examiner's convenience, a copy of the previously filed antedating declaration is enclosed.

In light of the antedating declaration, it is believed that the pending rejections based in part on Katscher et al. cannot be sustained. The MPEP provides, "Applicant may overcome a 35 U.S.C. 103 rejection based on a combination of references by showing completion of the invention by applicant prior to the effective date of any of the references." MPEP §715.02. As Applicant has antedated

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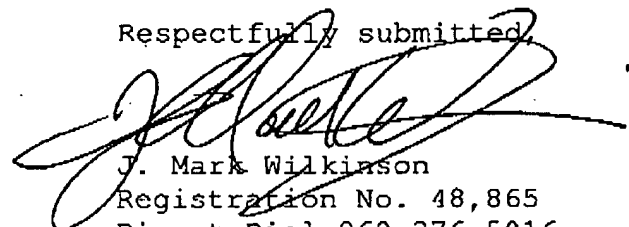
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Katscher et al., the reference is disqualified and cannot be relied upon to substantiate a rejection.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-23.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



J. Mark Wilkinson  
Registration No. 48,865  
Direct Dial 262-376-5016  
jmw@zpspatents.com

Dated: August 15, 2005  
Attorney Docket No.: GEGR8082.002

**P.O. ADDRESS:**

Ziolkowski Patent Solutions Group, SC  
14135 North Cedarburg Road  
Mequon, WI 53097-1416  
262-376-5170